

IT IS SO ORDERED.

Dated: 28 March, 2011 03:21 PM


RANDOLPH BAXTER
UNITED STATES BANKRUPTCY JUDGE

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

In re)	Chapter 11
)	
KIEBLER RECREATION, LLC)	Case No. 10-15099
d/b/a Peek’N Peak Resort & Spa,)	
)	Judge Baxter
Debtor.)	
)	

**ORDER DENYING DEBTOR’S MOTION FOR ENTRY OF ORDER (1) APPROVING
DISCLOSURE STATEMENT; (2) APPROVING SOLICITATION PROCEDURES AND
ESTABLISHING DEADLINES IN CONNECTION THEREWITH;
AND (3) SCHEDULING CONFIRMATION HEARING AND
SHORTENING NOTICE PERIOD WITH RESPECT THERETO**

This matter having come before the Court on the Debtor’s Motion for Entry of Order (1)
Approving the Debtor’s Disclosure Statement related to its Plan of Reorganization (the
“Disclosure Statement”); (2) Approving Solicitation Procedures and Establishing Deadlines in

Connection Therewith; and (3) Scheduling Confirmation Hearing and Shortening Notice Period With Respect Thereto [docket nos. 438, 533 and 534] (the “Motion”); responses or objections to the Motion having been filed by C.A. Curtze Co., Inc. a/d/b/a Specialty Steak Service [docket no. 456], Guy and Heidi Fustine [docket no. 457], the New York State Department of Environmental Conservation [docket no. 458], The Huntington National Bank [docket nos. 507, 510 and 539], the Official Committee of Unsecured Creditors [docket no. 527] and Vincent Cross as Executor of the Estate of Norbert Cross and Raquel Cross as Executrix of the Estate of Eugene Cross [docket no. 531]; the Court having reviewed the Motion and having held a hearing on the Motion on March 15, 2011 (the “Hearing”); and upon due deliberation and the statements of counsel present at the Hearing and on the findings of the Court set forth on the record at the Hearing; it is hereby ADJUDGED, DECREED AND

ORDERED, that the Motion is hereby denied in its entirety; and it is further

ORDERED, that the Disclosure Statement fails to comply with the requirements set forth in 11 U.S.C. § 1125(a).

IT IS SO ORDERED.

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CERTIFICATE OF SERVICE

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